

## **REMARKS**

### **Claim status**

Claims 1-31 were pending in the case at the time of the current Office Action. As a result of this amendment, no claim amendments have been made. No new matter has been added.

### **Double Patenting rejection**

The Examiner has rejected claims 1-31 under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-31 of copending Application No. 10/690,459.

Since this is a provisional double patenting rejection, the Applicant wishes to notify the Examiner that upon granting of the Petition for the Acceptance of an Unintentionally Delayed Claim for Priority filed February 22, 2007, the Applicant will expressly abandon copending Application No. 10/690,459 which includes claims 1-31. Thus, the cancelling of conflicting claims 1-31 of copending Application No. 10/690,459 will overcome the double patenting rejection since the claims will no longer be coextensive in scope.

If the Examiner should have any questions regarding this application or this response, a call to Applicant's agent would be appreciated.

Respectfully submitted,



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